

JESSE M. RIVERA (SBN 84259)  
SHANAN L. HEWITT (SBN 200168)  
**RIVERA & ASSOCIATES**  
2180 Harvard Street, Suite 310  
Sacramento, CA 95815  
Telephone: (916) 922-1200  
Facsimile: (916) 922-1303

Attorneys for Plaintiff  
GEORGE L. KIRBYSON

MICHAEL S. CHAMBERLIN (SBN 175427)  
JULIE M. CAPELL (SBN 226662)  
AMY M. GILLINGER (SBN 240619)  
**FULBRIGHT & JAWORSKI L.L.P.**  
555 South Flower Street, 41st Floor  
Los Angeles, California 90071  
Telephone: (213) 892-9200  
Facsimile: (213) 892-9494

Attorneys for Defendant  
TESORO REFINING AND MARKETING COMPANY

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

GEORGE L. KIRBYSON,

Plaintiff,

v.

TESORO CORPORATION D.B.A TESORO  
REFINING AND MARKETING COMPANY,  
BRUCE SMITH, DAN PORTER, WILLIAM  
BODNAR, BILL REITZEL, DANIEL  
CARLSON, RICK RIOS, TAMMY MEAMBER,  
DIANE DANIELS, LARRY ANGEL, UNITED  
STEEL WORKERS, INTERNATIONAL UNION  
LOCAL 5, JEFF CLARK, STEVE ROJEK, AND  
DOES 1 THROUGH 200 INCLUSIVE,

Defendants.

CASE NO.: C-09-03990-SC


**STIPULATED DISMISSAL WITH  
PREJUDICE [FRCP 41(a)(1)]**

Courtroom 1, 17th Floor  
Honorable Judge Samuel Conti

TO THE HONORABLE SAMUEL CONTI, DISTRICT COURT JUDGE:

It is hereby stipulated by and between Plaintiff George Kirbyson ("Plaintiff") and Defendant Tesoro Refining and Marketing Company ("Defendant" or "Tesoro"), through their respective counsel of record herein, that the above-captioned action be and hereby is dismissed with prejudice pursuant to FRCP 41(a)(1).

SO STIPULATED:

<p>Dated: March 28, 2012</p>	<p>Michael S. Chamberlin Julie M. Capell Amy M. Gillinger FULBRIGHT &amp; JAWORSKI L.L.P.</p> <p>By <u>/s/ Amy M. Gillinger</u> Amy M. Gillinger Attorneys for Defendant Tesoro Refining and Marketing Company</p>
<p>Dated: March 28, 2012</p> 	<p>Jesse M. Rivera Shanan L. Hewitt RIVERA &amp; ASSOCIATES</p> <p>By <u>/s/ Jesse M. Rivera</u> Jesse M. Rivera Attorneys for Plaintiff George L. Kirbyson</p>

I, Amy M. Gillinger, am the ECF User whose ID and password are being used to file this joint Stipulation. In compliance with General Order 45, X.B., I hereby attest, through my signature above, that Jesse M. Rivera concurred in this filing.

<p>Dated: March 28, 2012</p>	<p>Michael S. Chamberlin Amy M. Gillinger FULBRIGHT &amp; JAWORSKI L.L.P.</p> <p>By <u>/s/ Amy M. Gillinger</u> Amy M. Gillinger Attorneys for Defendant Tesoro Refining and Marketing Company</p>
------------------------------	--